

Attorney Docket No.: DRE-0032
Inventors: Fertala and Ko
Serial No.: 09/895,674
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REMARKS/ARGUMENTS

Claims 1-4 are pending in the instant application. Claim 4 has been indicated to be allowed by the Examiner. Claims 1-3 have been rejected. Claim 1 has been amended. Support for these amendments can be found in the specification at page 9, lines 11-16. No new matter has been added by these amendments. Reconsideration is respectfully requested in light of these amendments and the following remarks.

The rejection of claims 1-3 under 35 U.S.C. 102(b) as being anticipated by Bell (WO 0023008) has been maintained.

The Examiner suggests that Bell's disclosure of a biodegradable polymer fiber scaffold prepared by first covering the inside of the mold with a biodegradable polymer fiber scaffold and then filling the hollow of the mold with collagen falls within the broadest reasonable interpretation of the claims which are drawn to a tissue engineering scaffold comprising collagen or a collagen-like peptide incorporated within polymeric fibers.

Accordingly, in an earnest effort to advance the prosecution and to clearly distinguish the present invention from Bell et al., per the Examiner's suggestion, Applicants have amended the

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claims to clarify that collagen is incorporated within the polymeric fiber matrix itself, not merely as a filling for a hollow polymeric fiber as taught by Bell et al. Support for this amendment can be found throughout the specification, for example at page 6, lines 18-20, page 7, lines 3-21, and page 9, lines 11-16.

Since Bell et al. do not teach synthesis of polymer fibers wherein collagen is incorporated within the polymeric fiber matrix itself, this reference cannot anticipate the claims as amended. See MPEP § 2131. Withdrawal of this rejection under 35 U.S.C. § 102(b) is therefore respectfully requested.

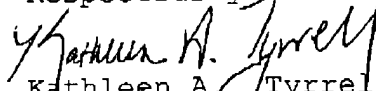
Conclusion

Applicants believe that the foregoing comprises a full and complete response to the Office Action of record. Accordingly,

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favorable reconsideration and subsequent allowance of the pending claims is earnestly solicited.

Respectfully submitted,


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